

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

§

vs.

§

Case No. 4:12cr40

(Judge Schell)

SCOTTY GENE BERRY

§

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for the revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and having received Defendant's waiver of right to object and waiver of right to be present and speak at sentencing, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

It is further

ORDERED that Defendant's supervised release is hereby **REVOKE**D. It is further

ORDERED that Defendant is sentenced to a term of imprisonment of eight (8) months with no supervised release to follow. The Court recommends that Defendant be housed in the Bureau of Prisons, Seagoville Unit.

SIGNED this the 27th day of September, 2012.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE